

**WAC 456-09-540 Prehearing conference.** (1) The board, on its own motion or a request of a party, may conduct a prehearing conference to consider:

- (a) Simplification of issues;
  - (b) The necessity or desirability of amending the pleadings or other documents;
  - (c) The possibility of obtaining stipulations or admissions;
  - (d) Limitations on the number and consolidation of witness examinations;
  - (e) Procedural matters;
  - (f) Deadlines for completing discovery, disclosures of fact and expert witnesses, submissions of stipulations of facts and exhibit lists, and filing of briefs;
  - (g) The manner of identifying exhibits and attachments to briefs, motions, and other pleadings;
  - (h) The number of copies to be submitted; and
  - (i) Other matters that may help to dispose of the case in whole or in part, or streamline the proceeding.
- (2) Prehearing conferences may be held by phone, video, or other electronic means, or in-person as specified by the presiding officer.
- (3) Following the prehearing conference, the board will issue an order outlining the action taken at the prehearing conference, and any agreements made by the parties. The order will control the course of the proceeding unless modified for good cause by a subsequent order.
- (4) Documentary evidence that is not submitted as outlined in the prehearing conference order will not be allowed into evidence absent a clear showing that the party offering the evidence had good cause for failing to comply with the order.
- (5) Nothing in this rule will be construed to limit the right of the parties to settle the appeal at any time.
- (6) The board has authority to issue a prehearing order even if a prehearing conference has not been held.

[Statutory Authority: RCW 82.03.170. WSR 22-05-051, § 456-09-540, filed 2/9/22, effective 3/12/22; WSR 05-13-141, § 456-09-540, filed 6/21/05, effective 8/1/05; WSR 95-05-033 (Order 95-01), § 456-09-540, filed 2/8/95, effective 3/11/95; WSR 89-10-056 (Order 89-02), § 456-09-540, filed 5/2/89.]